

PATENT COOPERATION TREATY

Translation

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference
346125/D20973

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/FR2004/001186

International filing date (day/month/year)
14.05.2004

Priority date (day/month/year)
14.05.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant
SPEED FRANCE

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. II

Priority

1. ☒ The following document has not yet been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-9	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-9	NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO
2. Citations and explanations:			
<p>1 Reference is made to the following documents in the present report:</p> <p>D1: DE 43 21 650 C (STIHL MASCHF ANDREAS) 20 October 1994 (1994-10-20)</p> <p>D2: EP-A-0 867 108 (SPEED FRANCE) 30 September 1998 (1998-09-30)</p> <p>D3: DATABASE WPI Section Ch, Week 198816 Derwent Publications Ltd., London, GB; Class A23, AN 1988-109970 XP002045232 & JP 63 059812 A (TORAY MONOFILAMENT CO) 15 March 1988 (1988-03-15)</p> <p>D4: US-A-5 709 942 (LEYDON DANIEL SHAWN ET AL) 20 January 1998 (1998-01-20)</p> <p>D5: US-A-6 061 914 (LEGRAND EMMANUEL) 16 May 2000 (2000-05-16)</p> <p>2 INDEPENDENT CLAIM 1</p> <p>2.1 The present invention does not meet the conditions set out in PCT Article 33(1) because the subject matter of claim 1 does not involve an inventive step as defined by PCT Article 33(3).</p>			

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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
2.1.1	<p>Document D1, which is considered as being the closest prior art to the subject matter of claim 1, describes (the references between brackets apply to this document) a cutting wire (7) comprising a core (see column 1, lines 41 to 46, and also column 2, lines 34 to 39) which is surrounded by a skin (see also the lines cited), the skin being composed of a polyamide or a copolyamide and its melting point being above that of the core (see column 1, line 47 to column 2, line 3 and also column 2, lines 34 to 39), and the outer surface of the skin is smooth.</p>
2.1.2	<p>Consequently the subject matter of claim 1 differs from the teachings of D1 in that the core of the cutting wire is composed of a polyamide or a copolyamide which is different from that of the skin and whose melting point is below that of the skin.</p>
2.1.3	<p>The problem which the present invention proposes to solve may therefore be considered as being the production of the core of the cutting wire in an economic material and without technical complications.</p>
2.1.4	<p>The solution proposed in claim 1 of the present application is not considered to be inventive (PCT Article 33(3)), for the following reasons:</p> <p>The use of polyamide as a material for the</p>

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

construction of cutting wires is well known in the art, because of its practical advantages. Document D2 even describes the use of a polyamide or of a copolyamide for producing a core of a cutting wire which will be subsequently surrounded by a protective layer (see column 1, lines 22 to 25, column 1, lines 36 to 41, and column 3, lines 14 to 21).

2.1.5 Consequently the features described in documents D1 and D2 would be combined by the skilled person, without demonstrating inventiveness, in order to solve the problem of interest. The solution proposed in independent claim 1 cannot be considered to involve an inventive step (PCT Article 33(3)).

3 DEPENDENT CLAIMS 2-9

The claims do not contain features which, when combined with the features of any claim to which they relate, meet the requirements of the PCT with respect to novelty and inventive step (PCT Article 33(2) and (3)).